

Attorneys for Plaintiff United States of America

IN RE: VOLKSWAGEN “CLEAN DIESEL”
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

United States v. Volkswagen AG et al., No 16
Civ. 295 (CRB) (JSC)

**STIPULATION AND QTF GT
TO EXTEND DEADLINE
TO RESPOND TO THE PORSCHE
DEFENDANTS' PARTIAL
MOTION TO DISMISS**

The Honorable Charles R. Breyer

1 WHEREAS, on February 25, 2016, the Court entered Pre-Trial Order No. 9
2 (Docket No. 1252), which, in Paragraph 3(A), requires Defendants Volkswagen AG,
3 Volkswagen Group of America, Inc., Volkswagen Group of America Chattanooga Operations,
4 LLC, Audi AG, Dr. Ing. h.c. F. Porsche AG, and Porsche Cars North America, Inc. (the
5 “Defendants”) to answer, move to dismiss or otherwise respond to the United States’ January 4,
6 2016 complaint (the “Complaint”) by April 15, 2016;

7 WHEREAS, on April 8, 2016, following stipulation and agreement among the
8 parties, the Court continued until May 16, 2016 the deadline for the Defendants to answer, move
9 to dismiss, or otherwise respond to the Complaint (Dkt. 1399);

10 WHEREAS, on May 16, 2016, Defendants Dr. Ing. h.c. F. Porsche AG and
11 Porsche Cars North America, Inc. (the “Porsche Defendants”) filed a motion to dismiss Count 3
12 of the Complaint (the “Motion”) (Dkt. 1512);

13 WHEREAS, the United States’ response to the Motion was previously due on
14 May 31, 2016;

15 WHEREAS, on May 27, 2016, following stipulation and agreement among the
16 parties, the Court continued until June 20, 2016 the deadline for the United States to respond to
17 the Motion (Dkt. 1549);

18 WHEREAS, on June 16, 2016, following a second stipulation and agreement
19 among the parties, the Court continued until July 29, 2016 the deadline for the United States to
20 respond to the Motion (Dkt. 1576);

21 WHEREAS, the Porsche Defendants and the United States have agreed to an
22 additional extension of time for the United States to respond to the Motion up to and including
23 September 15, 2016;

24 WHEREAS, such extension will allow the parties additional time to work toward
25 a just and efficient resolution of this matter and will not impact the schedule for this case;

26 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and
27 among the United States and the Porsche Defendants, that the deadline for the United States to
28 respond to the Motion should be continued to September 15, 2016.

1 Dated: July 28, 2016

Respectfully submitted,

2 By: /s/ Bethany Engel

3 Joshua H. Van Eaton

josh.van.eaton@usdoj.gov

4 Bethany Engel

bethany.engel@usdoj.gov

5 Environmental Enforcement Section

Environment and Natural Resources Division

6 UNITED STATES DEPARTMENT OF

JUSTICE

7 P.O. Box 7611

Washington, DC 20044-7611

8 Telephone: (202) 514-6892

9 Facsimile: (202) 616-2427

Coordinating Counsel for the United States

10
11 Dated: July 28, 2016

Respectfully submitted,

12 By: /s/ Cari K. Dawson

13 Cari K. Dawson

cari.dawson@alston.com

14 ALSTON & BIRD LLP

One Atlantic Center

15 1201 West Peachtree Street

Atlanta, Georgia 30309

16 Telephone: (404) 881-7766

17 *Liaison Counsel for the Porsche Defendants.*

18
19 * * *

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21
22 DATED: ~~July 29~~ _____, 2016.



23 CHARLES R. BREYER

24 United States District Judge

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatories above.

Dated: July 28, 2016

/s/ Bethany Engel

Bethany Engel